

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1620

IN THE MATTER OF:

Served November 9, 1976

Application of BILL'S BUS SERVICE,)
INC., for Certificate of Public)
Convenience and Necessity for Regu-)
lar Route Service and for Temporary)
Authority)

Application No. 973

Docket No. 358

By Application No. 973, filed October 14, 1976, Bill's Bus Service, Inc., seeks a certificate of public convenience and necessity, pursuant to the provisions of the Compact, Title II, Article XII, Section 4(b), to transport passengers, over regular routes at per capita fares, from points in Prince George's County, Maryland, to the Naval Research Laboratory, Washington, D. C., and return. Applicant has proposed the following route:

From Hughesville, Maryland, over Maryland Highway 5 to junction Maryland Highway 301, thence southbound over Maryland Highway 301 to St. Charles City, thence northbound over Maryland Highways 301 and 5 to junction Maryland Highway 223, thence westbound over Maryland Highway 223 to Clinton Shopping Center, thence eastbound over Maryland Highway 223 to junction Maryland Highway 5, thence over Maryland Highway 5 to junction Interstate Highway 495, thence over Interstate Highway 495 to junction Interstate Highway 295, thence over Interstate Highway 295 to the Naval Research Laboratory, and return over the same route.

Applicant proposes the following stops and fares.

Between Naval Research Laboratory and:

	<u>10 Day Pass</u>
Hughesville	\$22.50
St. Charles City	22.50
Waldorf Shopping Center (Routes 5 and 228)	22.50
Clinton Shopping Center (Routes 5 and 223)	12.50

In addition, authority is sought to serve all intermediate and off-route points. Service would be operated weekdays (except holidays) and would be scheduled to arrive at the Naval Research Laboratory at 7:30 A. M., and to depart from NRL at 4:15 P. M. Applicant proposes to utilize a 1966 Chevrolet school bus in the proposed operation.

This Commission's jurisdiction, as relevant to this application, extends only to the Prince George's-Charles County Line, which crosses Route 301 at Mattawoman Creek, north of the proposed Waldorf stop. Thus, the stops at Waldorf Shopping Center, St. Charles City, and Hughesville, along with the routing and fares in those areas, would be outside this Commission's jurisdiction and will not be further considered.

By letter filed November 3, 1976, applicant seeks temporary authority from this Commission to perform that portion of the proposed operation involving Prince George's County. In support of this request, applicant submits a copy of an order from the Interstate Commerce Commission, Motor Carrier Board, served October 28, 1976, authorizing service complementary to that involved herein.

Title II, Article XII, Section 4(b) of the Compact mandates that, whenever an application is made for a certificate of public convenience and necessity, the Commission shall issue a certificate to any qualified applicant therefor, "if it finds, after hearing held upon reasonable notice, that the applicant is fit, willing and able to perform such transportation properly and to conform to the provisions of this Act and the rules, regulations, and requirements of the Commission thereunder, and that such transportation is or will be required by the public convenience and necessity; otherwise, such application shall be denied." Pursuant to this mandate, the Commission shall schedule a public hearing to develop an appropriate record. Applicant shall be assessed an amount preliminarily estimated to be sufficient to cover the expenses which the Compact, Title II, Article XII, Section 19(a) requires the carrier to bear.

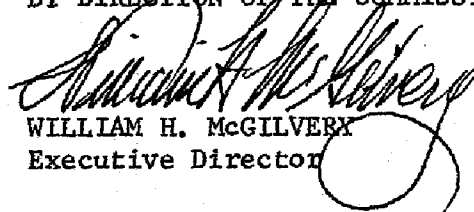
The Commission shall require applicant to submit and be prepared to support with a competent witness a statement projecting revenues and revenue deductions for a one-year period. Applicant shall be directed to file six (6) copies of the statement with the Commission and serve one copy on each party of record on or before Friday, December 3, 1976. Applicant shall be prepared to present evidence that public convenience and necessity require the proposed service.

The Commission may grant temporary authority in its discretion, and without hearings or other proceedings, only if it finds that there is an immediate and urgent need to a point or points having no carrier service capable of meeting such need. See Compact, Title II, Article XII, Section 4(d)(3). In Order No. 1607, served September 15, 1976, Rodgers E. Johnson trading as J.&J. Bus Service was granted temporary authority to provide service essentially commensurate with that sought herein. Accordingly, the instant request for temporary authority must be denied.

THEREFORE, IT IS ORDERED:

1. That Application No. 973 of Bill's Bus Service, Inc., be, and it is hereby, scheduled for public hearing to commence Monday, December 13, 1976, at 9:30 A. M. in the Hearing Room of the Commission, Room 314, 1625 I Street, N. W., Washington, D. C. 20006.
2. That Bill's Bus Service, Inc., publish once in a newspaper of general circulation in the Metropolitan District and post until the public hearing in each of its vehicles notice of the application and hearing in the form prescribed by the staff of the Commission no later than Thursday, November 18, 1976, and present at the hearing a certificate of publication from the selected newspaper and a certificate of posting.
3. That six (6) copies, the original to be submitted at the hearing, of the statement required hereinbefore be filed by Bill's Bus Service, Inc., with the Commission and one copy served on each party of record on or before December 3, 1976.
4. That any person desiring to protest shall file a protest in accordance with Commission Rule 14, or any person desiring to be heard on this matter shall notify the Commission, in writing, on or before Friday, December 3, 1976, and shall mail a copy of such protest or such notice to Bill's Bus Service, Inc., 6705 Northgate Parkway, Clinton, Maryland 20735.
5. That Bill's Bus Service, Inc., be, and it is hereby, assessed \$200 pursuant to the provisions of the Compact, Title II, Article XII, Section 19, and directed to deliver said amount to the office of the Commission, Room 316, 1625 I Street, N. W., Washington, D. C. 20006, on or before Friday, December 3, 1976.
6. That the request of Bill's Bus Service, Inc., for temporary authority as described above be, and it is hereby, denied.

BY DIRECTION OF THE COMMISSION:


WILLIAM H. MCGILVER
Executive Director

